REMARKS

With this Amendment, claims 5, 10, and 12 are cancelled. Claims 1-4, 6-9, and 11 are pending in the present application. Reconsideration of the claims is respectfully requested.

Claim Rejections – 35 USC § 102

Claims 1-10 and 12 were rejected under 35 U.S.C. § 102(b) as being anticipated over U.S. Patent No. 2001/0034569 to Yamamoto et al. ("Yamamoto").

Independent claim 1 has been amended to recite an electronic apparatus, as follows:

> 1. An electronic apparatus which operates by electric power supplied from a cell unit that produces electricity by chemical reaction, and to which the cell unit is detachably connected, comprising:
>
> a switching unit which switches an operation mode between a first operation mode that makes an operation with a first power consumption amount, and a second operation mode that makes an operation with a second power consumption amount lower than the first power consumption amount;
>
> a notification unit configured to send a message indicating that the operation mode is switched to the cell unit; and
>
> a control unit configured to switch the operation mode on the basis of a message sent back from the cell unit in response to the message of the notification unit.

Thus, among other things, claim 1 now recites an electrical apparatus that is "detachably connected" to a cell unit, and that includes "a control unit configured to switch the operation mode on the basis of a message sent back from the cell unit in response to the message of the notification unit," which is "configured to send a message indicating that the operation mode is switched to the cell unit." Thus, the claimed apparatus is directly connected to the fuel cell and has a first operation mode and a second operation mode and communicates with the fuel cell when switching the modes, and provides an electronic apparatus that is permitted to achieve smooth switching of outputs of a fuel cell, in which an auxiliary mechanism is used, in conjunction with the fuel cell.

Yamamoto, on the other hand, discloses a power supply system for achieving a stable power supply in offices and households. In the power supply system, a power control apparatus 30 is interposed between various electric products 40-1 to 40-n and a power generation apparatus (fuel cell) 20. The power control apparatus 30 receives power requests from the electric products 40-1 to 40-n, and sends a request of a total electric power obtained

by adding up the powers requested by the electric products to the power generation apparatus 20. Then, when verifying by a matching signal from the power generation apparatus 20 that the power generation apparatus 20 generates a power corresponding the request, the power control apparatus 30 returns an acknowledging signal to the electric products 40-1 to 40-n. Thus, at best, Yamamoto discloses a power control apparatus 30 that issues an instruction to the power generation apparatus 20, and receives a reply as to the operation state.

Therefore, Yamamoto also fails to disclose or suggest, among other things, an electrical apparatus that is directly connected to the cell unit and has first and second operation modes and units that communicate with the cell unit when switching the modes, as claimed.

Independent claim 4 has been amended to recite a cell unit as follows:

> 4. A cell unit which supplies an electronic apparatus with electric power, the electronic apparatus having a plurality of operation modes having different power consumption amounts, comprising:
>
> a fuel cell which produces electricity by chemical reaction;
>
> a rechargeable secondary battery;
>
> a reception unit configured to receive a message which indicates switching of the operation modes from the electronic apparatus; and
>
> a response unit configured to send a message indicating that a power consumption amount upon operating the electronic apparatus in the operation mode after switching exceeds an electric power that is supplied from the fuel cell, but the power consumption amount is lower than an electric power that is supplied from both the fuel cell and the secondary battery, when the power consumption amount exceeds an electric power that is supplied from the fuel cell, but the power consumption amount is lower than an electric power that is supplied from both the fuel cell and the secondary battery.

Thus, the cell unit of claim 4, includes, among other things, a rechargeable second battery, and a response unit that is configured to send a message when "the power consumption amount exceeds an electric power that is supplied from the fuel cell, but the power consumption amount is lower than an electric power that is supplied from both the fuel cell and the secondary battery." Thus, the cell unit enables a corresponding electronic apparatus to perform appropriate operation control, and permits the corresponding electronic apparatus to achieve smooth switching of outputs of a fuel cell, in which an auxiliary mechanism is used, in conjunction with the fuel cell.

In the power supply system of Yamamoto, on the other hand, the power generation apparatus 20 receives a power request signal R from the power control apparatus 30, and only

returns a matching signal C when it starts power generation corresponding to the requested power. Therefore, supposing that the power generation apparatus 20 comprises a fuel cell (main power source) and a secondary battery (auxiliary battery), even when the power generation apparatus 20 starts power generation corresponding to the requested power by supplementing the power with the power from the secondary battery, the power generation apparatus 20 still only returns a matching signal C. Thus, the party which has received the matching signal C cannot perform operation control, such as notifying the user of switching the modes and, therefore, Yamamoto fails to disclose or suggest the cell unit of claim 1.

Claims 2, 3, 6-9 and 11 depend from and further limit one of claims 1 and 4 and are allowable at least for the reasons set forth above with respect their respective independent claim.

Claim Rejections – 35 USC § 103

Claim 11 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamamoto in view of U.S. Patent No. 5,714,874 to Bonnefoy.

Claim 11 depends from and further limits claim 4 and is allowable at least for the reasons set forth above with respect to claim 4. Additionally, Bonnefoy fails to satisfy all of the shortcomings of Yamamoto as set forth above.

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All outstanding issues having been addressed and all claims now being allowable, favorable reconsideration is respectfully requested.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,
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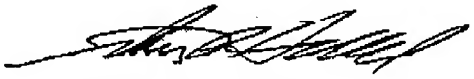

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